

Response and Amendment  
Application S/N 10/657,216  
Docket Nr. PDS-002C1 Page 8 of 8

### REMARKS

Claim 47 has been amended for clarity. New claims 53 – 57 have been presented claiming the invention alternatively embodied in an Ethernet switch assembly, as a power data combiner and as a method. No new matter has been added. Payment for the two independent claims in excess of 3 has been attached. Support for these amendments can be found in the originally filed specification and in particular the section entitled Power/Data Combiner Unit. Claims 38 – 57 remain in the case.

### DOUBLE PATENTING REJECTION

Claims 38 – 52 stand rejected under judicially created double patenting. Applicant hereby attaches a timely filed terminal disclaimer overcoming the objection.

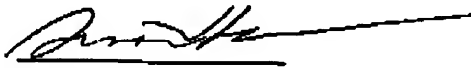
### CONCLUSION

In view of the foregoing, allowance of all pending claims (*i.e.*, claims 38 - 57) is respectfully requested. The Examiner is encouraged to contact Applicant's undersigned agent by telephone if it would in any way aid in the advancement of this application to issue.

Respectfully submitted,

Dated: February 24, 2005  
Reg. No. 48,249

Tel: 1-703-486-1150  
Fax: 1-703-892-4510

  
Simon Mark Kahn  
Director of Intellectual Property  
PowerDsine, Ltd.